



Governor Kim Reynolds
Lt. Governor Adam Gregg
San Wong, Director

PUBLIC SAFETY ADVISORY BOARD MINUTES OF REGULAR MEETING

**State Capitol
Legislative Dining Room
1007 E. Grand Avenue
Des Moines, Iowa**

September 19, 2018

Present: Tom Walton, Chair; Kim Cheeks; DeAnn Decker; Thomas H. Miller; Andrea Muelhaupt; Cody Samec; Beth Skinner; Sherri Soich; Kurt Swaim; Tony Thompson; Doug Wolfe; Dale Woolery
Ex-Officio: Hon. Jeffrey Neary; Sen. Rich Taylor; Rep. Mary Lynn Wolfe

Staff: Steve Michael; Sarah Fineran; Julie Rinker; Lanette Watson

Others: Betty Andrews; Laura Book; Cathy Engel; Bill Freeland; Allison Ver Shuer; Tom Ferguson; Daniel Zeno

I. Call to Order, Welcome, and Introductions

Tom Walton called the meeting to order at 12:35 p.m. A quorum was present.

II. Approval of Minutes – November 15, 2017

Tony Thompson moved to approve the minutes from the November meeting, seconded by Kurt Swaim. The motion was unanimously approved.

III. 2017 PSAB Recommendation Review and Discuss 2018 Recommendations

- **Elimination of Certain Driving Sanctions**—Fineran reported that the Governor sent a letter in response to SJR2007 to the federal government to propose eliminating driving sanctions for certain drug offenders. However, some language in the notification section of the enrolled legislation needs further clarification and is now in the standings bill. This only affects driving sanctions for adult offenders.

Cathy Engel and Bill Freeland, Senate and House Democratic Caucus staff, provided further information. The law required courts to notify the Department of Transportation of drug offenses. Most sections were removed in the standings bill, though not all. There are still some circumstances that were not removed and require the court to notify the DOT.

Daniel Zeno, ACLU, added that individuals, whose license was suspended for only that

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reason, were notified. If there were other reasons for the license suspension, those individuals were not notified.

Fineran asked if the group would want to consider something similar for juveniles. Michael preferred to hear from juvenile court officials before making any recommendations.

After a brief discussion, there was consensus to incorporate language that recognizes the effort of the legislature in eliminating some driving sanctions, but the PSAB continues to recommend eliminating driving sanctions for failure to pay fines.

- **Enactment of Anti-Racial Profiling**—Fineran reported that a bill was introduced last session, but did not move.

There was consensus to continue this recommendation. Fineran will update this area with 2016-2017 proposed legislation. Swaim asked that this be moved to the top of “Section II. Priority Areas for the 2019 Legislative Session”.

- **Changes to Iowa’s Child Kidnapping Legislation**—Fineran reported that part of the PSAB’s recommendation was passed by the legislature. SF2230 included language making non-parental/custodial kidnapping of a child/minor an automatic class B felony subject to the mandatory minimum. However, subsequent kidnapping was excluded.

There was consensus to recognize the efforts of the legislature, but the PSAB continues to recommend that subsequent kidnapping convictions be an automatic class B felony subject to the mandatory minimum in §902.12.

- **Changes to Iowa’s Robbery Mandatory Minimum Sentencing Legislation**—Fineran reviewed the current recommendation regarding Robbery 1 and 2. In FY 2016, HF2064 reduced the mandatory minimum term for Robbery 2 offenders and established a new crime of Robbery 3 (an aggravated misdemeanor that is not subject to a mandatory term), but did not decrease Robbery 1.

After a brief discussion, there was consensus to continue to recommend changes to Robbery 1.

- **Modifying Special Sentence for Sex Offenders**—Fineran reported that no legislation was introduced regarding this recommendation. This will continue as a recommendation.
- **Implementation of Results First in Iowa’s Corrections and Juvenile Justice Systems**—Michael provided an overview of Results First which is used to conduct cost/benefit analyses. Beth Skinner provided information on how the software is used in corrections. Both noted the need for staff resources to input information. There was consensus to continue this recommendation.
- **Voting Rights Restoration for Certain Offenders**—Fineran reported that several bills were introduced, but did not move—HF2025, HF365, HJR2007.

The following was discussed:

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- Kim Cheeks suggested that the text be changed from 'certain offenders' to 'all offenders'.
- Daniel Zeno, ACLU, noted that Iowa is one of three states (Iowa, Florida, Kentucky) that has not restored voting rights for felons. Florida has it on the November ballot. He suggested restoring voting rights to all felons.
- Betty Andrews, NAACP, agreed and suggested 'automatic restoration' at discharge.
- Rep. Wolfe noted the Iowa constitution could be amended to 'unless voting rights have been restored by the legislature or governor'.
- Dale Woolery requested more information for discussion during the next meeting.

Michael agreed to have staff present information at the next meeting.

It was also suggested that this recommendation be moved to Section II. There was no further discussion.

IV. Public Comment

Public comment was allowed during the meeting discussion. There were no additional public comments.

V. Issues for Next Meeting – November 14, 2018

Walton encouraged members to bring a list of topics that should be studied and/or discussed.

VI. Adjournment

Swaim moved to adjourn, seconded by Sherri Soich. The meeting adjourned at 1:28 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights